

FILED

MAR 12 2018

Clerk, U.S. District Court
Texas Eastern

General Complaint

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

Jaime "James" Roa

Case Number: 4:18cv168-ALM-CAN

List the full name of each plaintiff in this action.

VS.

Corporation known as "City of Denison"

Jared Johnson, Jud Rex, Jay Burch,

and Matrix Demolition Company

List the full name of each defendant in this action.

Do not use "et al".

Attach additional pages if necessary.

1. ATTEMPT TO SECURE COUNSEL:

Please answer the following concerning your attempt to secure counsel.

- A. In the preparation of this suit, I have attempted to secure the aid of an attorney as follows: (circle one)
1. Employ Counsel
 2. Court - Appointed Counsel
 3. Lawyer Referral Service of the State Bar of Texas,
P. O. Box 12487, Austin, Texas 78711.
- B. List the name(s) and address(es) of the attorney(s):
- None available on weekend.

C. Results of the conference with counsel:

II. List previous lawsuits:

A. Have you filed other lawsuits in state or federal court dealing with the same facts* involved in this action or any other incidents? ☐ Yes ☒ No
(* only some facts)

B. If your answer to "A" is "yes", describe the lawsuit in the space below.
If there is more than one lawsuit, attach a separate piece of paper describing each.

1. Approximate file date of lawsuit: _____

2. Parties to previous lawsuit(s):

Plaintiff _____

Defendant _____

Attach a separate piece of paper for additional plaintiffs or defendants.

3. Identify the court the lawsuit was filed. If federal, name the district. If state, name the county.

4. Docket number in other court. _____

5. Name of judge to whom the case was assigned.

6. Disposition: Was the case dismissed, appealed or still pending?

7. Approximate date of disposition. _____

III. Parties to this suit:

A. List the full name and address of each plaintiff:

Pla #1 Jaime "James" Roa

Pla #2 _____

B. List the full name of each defendant, their official position, place of employment and full mailing address.

Dft #1: Jared Johnson, Mayor

500 West Chestnut P.O. Box 347

Denison, TX 75021

Dft #2: Jud Rex, City Manager

500 West Chestnut P.O. Box 347

Denison, TX 75021

Dft #3 Jay Burch, Denison Chief of Police

108 W. Main Street

Denison, TX 75020

Dft #4 Rodney Mays
Matrix Demolition, LLC
Aledo, TX 76008

IV: STATEMENT OF CLAIM

State as briefly as possible the fact of your case. Describe how each defendant is involved. Include the names of other persons involved with dates and places. Do not give any legal arguments or cite cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need, attaching additional pages if necessary.

#1. Feb. 8, 2018 : US Court of Appeals dismissed my case (# 17-41168) Against City of Denison officials and other defendants, but the Federal Rules of Appellate Procedure, as well as 5th Cir. Rules give 45 days for Appellant to request Reconsideration of Dismissal of case. 45 days would end on March 25, 2018. City of Denison violated the Rule of Law and Due Process of Law by starting demolition of my building and demolishing the Western and Eastern wings of my building completely, on Friday March 9, 2018. This case is still open.

#2. Denison City Council decided (Feb. 2018) to give extra time to owners having a demolition order to fix buildings. (Herald Democrat. Feb. 15, 2018). By going ahead with demolition, Rex is violating City's own Council's decision.

#3. Plaintiff Jaime "James" Roa wrote a letter, on Wednesday, Feb. 28, 2018, to City Manager Jud Rex, Council Members, and Mayor Johnson. At City Hall, the court clerk did not take letter for Rex, (violation of the Older Americans Act Reauthorization Act of 2015- (OAARA-2015) so I mailed it to him and their attorney. They received it the next day, Thursday. Same day, I gave a copy of letter to Betty Floyd's assistant, whose initials can be seen on copy.

#4. The letter explained I had put the property up for sale with Century 21, Dean Realtors. A "For Sale" sign has been on the property. People know the property is For Sale. Demolition is in violation of Right to work as a Real Estate Entrepreneur and the OAARA-2015 for the same reason and a crime under the Constitution, Federal Laws and other laws of the United States.

#5 City's actions constitute mental abuse, a Federal crime under the OAARA.

Plaintiff is a Senior Citizen quickly approaching the age of 65 years old. This violation is grotesquely magnified by the fact that the same City of Denison sponsored the Second Annual Community Behavioral Health Conference-Strengthening the Mental Health Journey, held at the Hilton Garden Inn, on Feb.16th, 2018.

#6. City's actions also abuse of the elderly as financial exploitation. Rex said on TV that Plaintiff had to pay the cost of demolition. (Violation of the OAARA-2015).

#7. On Friday, March 2, 2018, I was at Home Depot (Sherman) , at the paint department, talking with the man working in that section, about what would be good caulking for the windows , so that I could put glass on the building's windows, when he looked over my shoulder , towards my back, as if there was something strange happening. I quickly turned to my left to see what was happening. To my surprise, it was Jud Rex, the City Manager who was behind me! That was pretty spooky. Rex is about 6'3'' & ~ 300 Lb. +. Rex turned his head to his left, towards the cans of paint, making a gesture as if he did not like I was aware he was there. Apparently, he had shoes that did not make any noise. I had not heard anybody walking, in the area I was in. Unfortunately for me, I had shoes that had made a lot of noise when I walked.

After a few seconds, I turned to look where Rex was. He was not there. He had left as quietly as he had arrived. So, I do not think it was a coincidence, the following day after he received the letter. I believe he was following me using GPS technology which tracks smart phones to tell where the person is.

#8. Quietly, too, early in the morning, on Friday March 9, 2018, he arrived at my property, without notifying me of his intentions, that he was going to have my place destroyed. He was with people from the Matrix Demolition company and Police. My brother told me, they all looked at him ,when he went by. Being in my property without my permission was illegal (trespassing). It was illegal in several other ways. It was a conspiracy to commit a crime, that of destroying private property, and a crime in another way, that of destroying millions of dollars which

my building is worth and destroying the way I make my living and all I had worked for, all my life. It was clearly a violation of the OAARA, too, which includes not allowing me to help the community.

#9. On the same day, March 9, TV news said the 5th Court of Appeals had dismissed my case against the city and other defendants. But they did not say that it was the Court's Clerk's mandate which is subject to review by the judges of the Court, possibly taking place at the end of March, 2018. So, the appeal is still active and the case is not closed.

#10. Rex's actions about demolition of building also reveal desperation on his part, as Appellant's actions refuted, Debunked and nullified the city's racist, authoritarian and illegal position towards Appellant and his building, before the courts.

#11. Matrix Demolition company is sued here, for being the ones destroying the building with their machines.

#12. Denison Police Chief is sued here for being the person whose job is to protect Private Property and ensuring the law is being followed. His actions or inactions include: constitutional violations of owner's rights: 14th Amendment, owner's Rights under the OAARA-15 (mental abuse and financial exploitation), the Americans with Disabilities Act Amendments Act, racial discrimination.

#13. All defendants are hereby charged with conspiracy to commit the crime of destroying private property and carrying out the actual destruction of the building, Violations of Owner's constitutional rights, racial discrimination, and violations of the OAARA.

#14. Mayor Jared Johnson is being sued here because of his position in/with the City of Denison and supposed to be informed about the situation with my building at 715 W Sears St. in Denison, TX, and being in agreement with decision made by the city manager.

#15. No Historic Preservation report on building, violation of City's rules.

- V. Relief: State Briefly exactly what you want the court to do for you. Make no legal arguments and do not cite cases or statutes. Attach additional pages if necessary.

Plaintiff to have judgment against Defendants in the amount of US\$ 20 M Dollars (twenty million US dollars) to hire engineers and professionals to rebuild this historic building to its original glory and for violations of Plaintiff's rights under the US Constitution (14th amendment) and other laws as stated in this Complaint.

To order City of Denison to act in good faith and to help Plaintiff in his Real Estate activities and to put in writing anything they want to communicate or do in relation to Plaintiff's Real Estate activities or otherwise and to give at least 2 (two) weeks for Plaintiff to respond.

To declare any order of demolition unlawful and void and of no force or effect and permanently enjoin its enforcement by the City of Denison.

Signed this twelfth (12) day of March, 2018,
(Month) (Year)

Jaime Roa

I declare (certify, verify or state) under penalty of perjury that the foregoing is true and correct.

Executed on: March 12, 2018
Date

Jaime Roa

Jaime James Roa

Signature of each plaintiff